

Admitted in Indiana and Michigan

Thomas E. Warrick\* Of Counsel

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\*Not Admitted in Michigan

June 30, 2014

Leslie Blake, Remedial Project Manager U.S. Environmental Protection Agency – Region V Superfund Division (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590

Re: Ludwig Investments, Inc.

Allan Ludwig & David J. Miller

Concerning the Lane Street Groundwater Contamination Site located in Elkhart, Indiana CERCLIS ID NUMBER: INN000510229

Dear Ms. Blake:

Please find enclosed the Response to the EPA's Section 104(e) Request for Information dated June 3, 2014 which is filed on behalf of Ludwig Investments, Inc. and Allan J. Ludwig and David J. Miller. If you have any questions, please feel free to contact me.

Sincerely,

James V. Woodsmall

JVW/mj

cc:

Rob Leatherman

Enclosures

SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Leslie Blake, Remedial
Project Manager
U.S. Environmental Protection
Agency – Region V
Superfund Division (SR-6J)
77 W. Jackson Blvd.
Chicago, IL 60604-3590

بن Re: Ludwig Invest

Ludwig Investingents Inc. – Response to Request for Information

Pursuant to 1946) of CERCLA regarding the Lane Street

Groundwater Contamination Site located in Elkhart, Indiana

CERCLIS IDENUMBER: INN000510229

Dear Ms. Blake:

Pursuant to your Section 104(e) Request for Information dated June 3, 2014, Ludwig Investments Inc. hereby submits the following responses to your questions. The numbers set out below correspond to the numbers in the Information Request.

1. Ludwig Investments Inc. owned 3506 Henke Drive, Elkhart, Indiana from September 25, 1995 to June 10, 1999. At the time Ludwig Investments, Inc. possessed the Site, it did not have any reason to believe that any hazardous substance was disposed of on or at the Site. We conducted no investigations at the site.

The following persons contributed to the above answer: Allan Ludwig

Business Address:

c/o Northland Corp. 23805 County Road 6 Elkhart, IN 46514

(574) 262-2576

Home Address:



The following sources of information were used in answering this question:

Meridian Title Corporation Title

Commitment dated April 4, 1999

Warranty deeds dated September 25, 1995 and June 10, 1999

2. Ludwig Investments, Inc. merely acted as a landlord for the Site. It did not purchase, receive, process, store, treat, dispose or otherwise handle hazardous substance or materials at the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None

- 3. From the period of September 25, 1995 to June 10, 1999, Ludwig Investments, Inc. leased the Site to the following three entities:
  - (a) Intertek International which monogrammed floor mats and distributed truck accessories;
  - (b) Native Hardwoods which manufactured Corian countertops;
  - (c) Days Corporation which conducted a warehouse operation for their moving and storage business.

Ludwig Investments, Inc. did not purchase, receive, process, store, treat, dispose or otherwise handle any hazardous substances or materials at the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

Notes and leases with the above named entities

4. Ludwig Investments, Inc. does not have any information concerning the manufacturing processes used on the Site by the above described tenants except as otherwise described in the response to Request No. 2.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None

5. Ludwig Investments, Inc. does not have any knowledge of the manufacturing processes used on the Site by the tenants listed in the Response to Question No. 2.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None.

6. No.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

7. Ludwig Investments, Inc. does not have any knowledge about the federal, state and local authorities that regulated the Site Operator or that interacted with the Site Operator.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

8. Ludwig Investments, Inc. does not have any knowledge about any occurrences associated with violations, citations, deficiencies and/or accidents concerning the Site during the period that it owned the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

9. None.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

10. No.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None.

11. No.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

12. Ludwig Investments, Inc. has no reports, information or data related to soil, water, air quality, geology/hydrogeology at or about the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

13. Ludwig Investments, Inc. has no knowledge about any acts or omissions of any persons that might have caused the release of hazardous substances at the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None.

14. Ludwig Investments, Inc. has no knowledge of any leaks, spills, or releases into the environment of any hazardous substances, fluids or contaminates that have occurred at or from the Site.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

- 1. Undated questionnaire from Blasland, Bouck & Lee, Inc.
- 2. April 28, 1999 letter proposal for work from Blasland, Bouck & Lee, Inc.
- 3. June 8, 1999 incomplete questionnaire sent to Vic Arko.

## 15. No.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None

16. No.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None.

17. Ludwig Investments, Inc. does not have any information or documentation concerning any inspections, evaluations, safety audits, correspondence or any other documents associated with the conditions, practices, and/or procedures at the Site concerning insurance issues.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question:

None.

I certify under a penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that

there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Ludwig Investments, Inc.

By:

Allan J. Ludwig, President

/mj

Leslie Blake, Remedial Project Manager U.S. Environmental Protection Agency – Region V Superfund Division (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590

Re: Allan Ludwig and David J. Miller
Response to Request for Information Pursuant to 104(e)
of CERCLA regarding the Lane Street Groundwater
Contamination Site located in Elkhart, Indiana
CERCLIS ID NUMBER: INN000510229

## Dear Ms. Blake:

Pursuant to your Section 104(e) Request for Information dated June 3, 2014, Allan Ludwig and David J. Miller hereby submit the following responses to your questions. The numbers set out below correspond to the numbers in the Information Request.

1. Allan Ludwig and David J. Miller (hereinafter Ludwig and Miller) owned all of the addresses listed at the Site, 2503 Marina Drive, 2601 Marina Drive, 3504 Henke Street, 3506 Henke Street, 3507 Cooper Drive, and 2500-2502 Ada Drive in Elkhart, Indiana. Ludwig and Miller purchased the property in 1969. It was farmland. On November 21, 1977, the Site was rezoned to industrial. Ludwig and Miller began selling lots containing the six addresses in question:

2500-2502 Ada Drive was sold on July 15, 1983; 3507 Cooper Drive was sold on September 7, 1983; 2503 Marina Drive was sold on December 7, 1983; 3504 Henke Street was sold on December 17, 1985; and 3506 Henke Street was sold on January 10, 1986;

At the time Ludwig and Miller acquired the Site, it was farmland and there was no reason to believe that any hazardous substance was disposed of on or at the Site. In 1969, it was not a common practice to do any environmental assessment of the property. Ludwig and Miller had no reason to perform any type of environmental assessment.

The following persons contributed to the above answer: Allan Ludwig

**Business Address:** 

c/o Northland Corp.

23805 County Road 6 Elkhart, IN 46514 (574) 262-2576



Home Address:

The following sources of information were used in answering this question: The five warranty deeds for each of the parcels dated as described above. five warranty deeds for each of the parcels, dated as described above.

2. Ludwig and Miller leased the property to a local farmer until the Site was developed. On November 21, 1977, it was rezoned to industrial. Ludwig and Miller constructed the streets serving the Site. They are not aware of any activities involving hazardous substances at the Site except for any such substances which may be contained on normal excavation equipment in use in the late 1970s.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: Zoning file of Ludwig and Miller.

3. No manufacturing processes were utilized on the Site during the period Ludwig and Miller owned the Sites.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: None

4. No.

The following persons contributed to the above answer: Allan Ludwig

Not applicable. 5.

6. No.

The following persons contributed to the above answer: Allan Ludwig

7. No such governmental authorities regulated the Site operated during the period that Ludwig and Miller owned the Site. Ludwig and Miller sold bare ground. The subsequent purchasers constructed any improvements on these Sites.

The following persons contributed to the above answer: Allan Ludwig

8. None.

The following persons contributed to the above answer: Allan Ludwig

9. None.

The following persons contributed to the above answer: Allan Ludwig

10. No.

The following persons contributed to the above answer: Allan Ludwig

11. No.

The following persons contributed to the above answer: Allan Ludwig

12. Ludwig and Miller do not have any reports, information or data related to soil, water, air quality, geology/hydrogeology at or about the Sites.

The following persons contributed to the above answer: Allan Ludwig

13. Ludwig and Miller are not aware of any acts or omissions of any persons that might have caused the release of hazardous substances at the Sites.

The following persons contributed to the above answer: Allan Ludwig

14. Ludwig and Miller have no information concerning any such leaks, spills, or releases into the environment of any hazardous substances, fluids or contaminates that have occurred at or from the Sites during the period of their ownership.

The following persons contributed to the above answer: Allan Ludwig

15. No.

The following persons contributed to the above answer: Allan Ludwig

- 16. Soil was excavated to construct the streets.
  - (a) Ludwig and Miller do not have any record or other knowledge of the amount of soil excavated.
  - (b) The excavation was located at the present site of Marina Drive, Henke Street, Cooper Drive and Ada Drive.
  - (c) Ludwig and Miller do not have any records or knowledge of the manner or place of disposal and/or storage of the excavated soil.
  - (d) The soil was excavated after November 21, 1977 and prior to September 7, 1983. We do not have exact dates.
  - (e) L&M Gemini Excavating and Arco Engineering and Construction excavated or removed the soil.
  - (f) The soil was excavated to allow for the pavement of the streets.
  - (g) Ludwig and Miller do not have any knowledge about whether the excavation or removed soil contained any hazardous substances.
  - (h) Ludwig and Miller do not have any analysis or tests and results of analysis of the soil that was removed from the Site.
  - (i) Ludwig and Miller do not have any records or knowledge of the persons or contractors with the information about (a) through (h) above.

The following persons contributed to the above answer: Allan Ludwig

The following sources of information were used in answering this question: Invoices from the contractors named in 16(e) above.

17. Ludwig and Miller do not have any information or documentation concerning any inspections, evaluations, safety audits, correspondence or any other documents associated with the conditions, practices, and/or procedures at the Site concerning insurance issues.

The following persons contributed to the above answer: Allan Ludwig

I certify under a penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Allan Ludwig

(David J. Miller is deceased)

/mj